IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 020431.0771

In re Application of: *\omega \omega \omega* RANJIT N. NOTANI, ET AL. Examiner:

PIERRE E. ELISCA Serial No. 09/841,320

Filed: 23 APRIL 2001 Art Unit: 3621

For: EXTREME CAPACITY MANAGEMENT Confirmation No.: 5982

IN AN ELECTRONIC MARKETPLACE **ENVIRONMENT**

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP: ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir/Madam:

The indication in the Notice of Allowance mailed 28 January 2008 that Claims 2, 3, 5-10, and 26-43 of the subject Application, have been allowed, is noted with appreciation. However, the Applicants would like to comment on the Examiner's statement of reasons for allowance.

REMARKS:

Pursuant to 37 C.F.R. § 1.104, the Applicants respectfully issue a statement commenting on the Examiner's reasons for allowance. The Applicants respectfully disagree with the Examiner's reasons for allowance to the extent that they are inconsistent with applicable case law, statutes, and regulations. Furthermore, the Applicants do not admit to any characterization or limitation of the claims, particularly any that are inconsistent with the language of the claims considered in their entirety and including all of their constituent limitations, or to any characterization of a reference by the Examiner.

CONCLUSION:

Part B of the Issue Fee Transmittal Form is being filed electronically herewith to facilitate the processing of this deposit account authorization. The Commissioner is hereby authorized to charge the amount of \$1470.00 for the \$1,440.00 Issue Fee and the \$30.00 fee for ten additional copies of the patent to Deposit Account No. 500777. No other fees are deemed to be necessary; however, the undersigned hereby authorizes the Commissioner to charge any necessary fees, or credit any overpayments, to Deposit Account No. 500777.

Please link this application to Customer No. 53184 so that its status may be checked via the PAIR System.

Respectfully submitted.

17 March 2008

Date

/Steven J. Laureanti/signed

Steven J. Laureanti, Registration No. 50,274

BOOTH UDALL, PLC 1155 W. Rio Salado Pkwy., Ste. 101 Tempe AZ, 85281 214.636.0799 (mobile) 480.830.2700 (office) 480.830.2717 (fax) steven@boothudall.com

CUSTOMER NO. 53184